

## HOUSE BILL No. 2501

By Committee on Federal and State Affairs

2-13

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AN ACT concerning medical care facilities; relating to ambulatory surgical centers; amending K.S.A. 2000 Supp. 65-425 and repealing the existing section.

*Be it enacted by the Legislature of the State of Kansas:*

Section 1. K.S.A. 2000 Supp. 65-425 is hereby amended to read as follows: 65-425. As used in this act:

(a) "General hospital" means an establishment with an organized medical staff of physicians; with permanent facilities that include inpatient beds; and with medical services, including physician services, and continuous registered professional nursing services for not less than 24 hours of every day, to provide diagnosis and treatment for patients who have a variety of medical conditions.

(b) "Special hospital" means an establishment with an organized medical staff of physicians; with permanent facilities that include inpatient beds; and with medical services, including physician services, and continuous registered professional nursing services for not less than 24 hours of every day, to provide diagnosis and treatment for patients who have specified medical conditions.

(c) "Person" means any individual, firm, partnership, corporation, company, association, or joint-stock association, and the legal successor thereof.

(d) "Governmental unit" means the state, or any county, municipality, or other political subdivision thereof; or any department, division, board or other agency of any of the foregoing.

(e) "Licensing agency" means the department of health and environment.

(f) "Ambulatory surgical center" means an establishment with an organized medical staff of one or more physicians; with permanent facilities that are equipped and operated primarily for the purpose of performing ~~surgical procedures~~ *any surgical procedure or any abortion as defined by K.S.A. 65-6701, and amendments thereto*; with continuous physician services during surgical procedures and until the patient has recovered from the obvious effects of anesthetic and at all other times with physician services available whenever a patient is in the facility; with continuous

1 registered professional nursing services whenever a patient is in the fa-  
2 cility; and which does not provide services or other accommodations for  
3 patient to stay more than 24 hours. Before discharge from an ambulatory  
4 surgical center, each patient shall be evaluated by a physician for proper  
5 anesthesia recovery. Nothing in this section shall be construed to require  
6 the office of a physician or physicians to be licensed under this act as an  
7 ambulatory surgical center *unless abortions are performed in such office.*

8 (g) "Recuperation center" means an establishment with an organized  
9 medical staff of physicians; with permanent facilities that include inpatient  
10 beds; and with medical services, including physician services, and contin-  
11 uous registered professional nursing services for not less than 24 hours  
12 of every day, to provide treatment for patients who require inpatient care  
13 but are not in an acute phase of illness, who currently require primary  
14 convalescent or restorative services, and who have a variety of medical  
15 conditions.

16 (h) "Medical care facility" means a hospital, ambulatory surgical cen-  
17 ter or recuperation center, but shall not include a hospice which is cer-  
18 tified to participate in the medicare program under 42 code of federal  
19 regulations, chapter IV, section 418.1 *et seq.* and amendments thereto  
20 and which provides services only to hospice patients.

21 (i) "Critical access hospital" shall have the meaning ascribed to such  
22 term under K.S.A. 65-468 and amendments thereto.

23 (j) "Hospital" means "general hospital," "critical access hospital," or  
24 "special hospital."

25 (k) "Physician" means a person licensed to practice medicine and  
26 surgery in this state.

27 Sec. 2. K.S.A. 2000 Supp. 65-425 is hereby repealed.

28 Sec. 3. This act shall take effect and be in force from and after its  
29 publication in the statute book.

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